



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

FREY'S EX'RS *v.* TILLET.

Sept. 17, 1919.

[100 S. E. 457.]

1. **Assignments for Benefit of Creditors (§ 323\*)—Right of Creditor of Second Class on Relinquishment by Creditor of First Class.**—If property conveyed to a creditor of the first class by the debtor's trustee for creditors was in good faith applied to debts of the first class, the estate of a creditor of the second class has no right to complain, though after the application was made the creditor of the first class relinquished part or all of his interest to the debtor's wife.

[Ed. Note.—For other cases, see 1 Va.-W. Va. Enc. Dig. 812.]

2. **Assignments for Benefit of Creditors (§ 161\*)—Necessity Clearly to Charge and Prove Fraud.**—Though the evidence may point strongly to fraud, unless the fraud complained of is clearly charged in the pleadings and clearly established by proof, it cannot be made the basis of a decree for relief.

[Ed. Note.—For other cases, see 1 Va.-W. Va. Enc. Dig. 828.]

3. **Executors and Administrators (§ 437 (1\*))—Laches in Suit by Executors of Creditor against Guardian of Debtor's Children.**—Executors of preferred creditor of the second class, of a debtor who assigned to a trustee for creditor, held barred by their own laches and the laches of their decedent from collecting from funds in the hands of the guardian of the children of the debtor the balance due on the debt.

[Ed. Note.—For other cases, see 5 Va.-W. Va. Enc. Dig. 720.]

Appeal from Corporation Court of Roanoke.

Suit by Frey's executors against one Tillett, as guardian. From a decree dismissing the bill, complainants appeal. Affirmed.

*Jas. D. Johnston* and *Johnston & Izard*, all of Roanoke, for appellants.

*Dillard & Dillard*, of Bluefield, W. Va., for appellee.

COVER *v.* WIDENER et al.

Sept. 17, 1919.

[100 S. E. 459.]

**Habeas Corpus (§ 99 (4\*))—Grandmother Entitled to Custody of Child as against Father.**—Maternal grandmother of 13 year old girl held, in habeas corpus proceedings, entitled to her custody as against her father, awarded access merely, who had deserted his wife, the

---

\*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.